

defamatory by implication because that portion of the story, taken out of context and juxtaposed with the video's narration and hip-hop song, does not let the viewer see Wentz's real intention, which was to help a student in a "tough love" sort of way, as opposed to – what the video portrays – to just threaten senseless violence.

- g. The narration and, again, out of context clips, makes Wentz appear that he knowingly acts above the law (i.e., "[d]espite Wentz knowing his actions could get in trouble with the union").
- h. The Panera segment creates an impression that Wentz is violent and states that Wentz "turned hostile," which he did not.
- i. The footage taken at the union office and the Panera segment, along with narration, make Wentz appear to play hooky on the union's dime, sneaking off to a coffee shop, not doing his job, nor caring to do his job, or caring to "punch in" or keep a record of his time.
- j. By failing to state that Sandini had called Wentz and asked him to meet at Panera, and that Wentz was punctual in his meeting, but instead falsely stating that Sandini had tracked down Wentz, the video makes Wentz appear derelict in his duties, an untrustworthy truant who shirks responsibility.
- k. By having Sandini ask Wentz whether Wentz had ever threatened to kick the ass of Sandini's nephew, which Wentz never did, then accusing him of lying which he did not, is defamatory because the original story – in the illegally obtained clip – was taken out of context and is part of an anecdote of an incident that occurred at least 20 years prior.

- l. The placement<sup>1</sup> of the hotel bar video clip, interpolated in the middle (twice) of Sandini's clip with Wentz, makes it appear as if the video-playing tablet was actually on the table at Panera and Wentz could see it, when in actuality Wentz had no idea what Sandini was talking about because Sandini did not explain himself.
- m. Overall, the Panera segment portrays Wentz as corrupt, lying, lazy, unreliable, and violent, all of which are untrue.
- n. O'Keefe's narration, which bookends the video, is defamatory because it falsely creates a portrayal of corruption, untruth, and violence; implies that students have been threatened by Wentz; says Wentz has not "owned up" to his actions and is therefore a liar; portrays Wentz as corrupt, "us[ing] his union president position to protect himself"; says that he "admits that what he did was wrong, and that, if the union found out, he would be in trouble"; and implies that he has something to "worry" about. These implications and statements are untrue and damaging.
- o. By stating, "we strongly encourage any student who has been threatened by Mr. Wentz to come forward and contact us at projectveritas.com" creates the false implication that many students have been threatened by Wentz and are cowering in fear and need a source like "Project Veritas" to protect them.
- p. Overall, by encouraging Wentz to say certain statements on camera that Defendants could use out of context, then juxtaposing a series of video snippets and removing key contextual portions, Defendants created the false implication that Wentz is a violent, hostile, corrupt, and dishonest person who plays hooky from work and lies about

where he is, fraudulently stays clocked in on union member's dollars, and hides out in a coffee shop.

140. Project Veritas and O'Keefe made and published this false and defamatory video without reasonable care as to its truth or falsity of its contents, in that a proper investigation would have demonstrated to Project Veritas and O'Keefe that their video was false and misleading. The video gave false suggestions, impressions, and implications that conveyed a materially different meaning than the truth would have conveyed.

141. Project Veritas and O'Keefe knew the video was defamatory, because they knew Wentz had, in Orlando, merely told an anecdote about turning a troubled student's life around, and that he was not violent as Project Veritas and O'Keefe portrayed him to be, but rather a teacher who cared for his students; they knew he was not playing hooky from work but rather had arranged to meet Sandini under Sandini's suggestion and had relied on Sandini's representation that he was a student's uncle.

142. Project Veritas and O'Keefe knew that the song they played over Wentz's images was defamatory, as it accused Wentz repeatedly of making and "feeding . . . lies," with a musical background, and being untrustworthy.

143. Although Project Veritas and O'Keefe knew or should have known that their video was defamatory, they proceeded to publish

the video with actual malice, or with actual knowledge that it was false or reckless disregard of whether it was false, and with such gross and reckless negligence as to amount thereto, and with a conscious disregard for Wentz's rights and the truth.

144. Project Veritas and O'Keefe published the defamatory video with a motive to injure Wentz's reputation and character and make him appear corrupt. The motive was part of a right-wing plot to make teacher's unions, in general, appear disreputable and corrupt, and damage the public's perception of teacher's unions. The incorporated allegations were made with the intent to expose Wentz to hatred, ridicule, or contempt; charged Wentz with committing a violent crime of assault; make Wentz appear dishonest and call him a liar; implied that Wentz is a physically violent and dangerous man who threatens violence against his students; and tended to injure Wentz in his business, reputation, and occupation.

145. As a result of Project Veritas and O'Keefe defamatory video, Wentz has suffered and will continue to suffer damages, including, without limitation, reputation damages, stress, mental anguish, and damage to his current and prospective business relations.

WHEREFORE, Plaintiff, STEVE WENTZ, respectfully requests that this Honorable Court enter judgment against Defendants PROJECT VERITAS and JAMES O'KEEFE III, and, for Wentz's actual damages,

pre-judgment interest, costs, and such other and further relief as this Court may deem proper. Wentz reserves the right to, pursuant to section 768.72, Florida Statutes, amend his complaint and seek punitive damages upon the requisite showing.

**COUNT VI: DEFAMATION (WRITTEN CONTENT)**

146. Wentz incorporates by reference all allegations contained in paragraphs 1-65.

147. In addition to the video, and its description and title on YouTube, Project Veritas and O'Keefe published written defamatory content on Project Veritas's website about Wentz. This is a count for common-law defamation against Project Veritas and O'Keefe for that additional, written content.

148. On or about June 28, 2016, Project Veritas and O'Keefe published the following content on the Project Veritas website, available at: (1) <https://projectveritas.com/teachers-unions-investigations/> and (2) <http://projectveritas.com/2016/06/28/teachers-union-president-to-kids-i-will-kick-your-fg-ass/>

The fourth video of the undercover teachers union series shows a systemic problem of corruption within the teachers union that extends far beyond New York City. In this fourth video, the President of the United Teachers of Wichita admits



to physically assaulting children in the classroom and being protected by the union.

In James O'Keefe's video, an interaction takes place between several Project Veritas journalists and Steve Wentz, the President of United Teachers of Wichita. Throughout several interactions, Wentz admits to being physically abusive to his students and not caring about the consequences since he is the president of the union.

When Project Veritas journalists first encountered Wentz, it was at the National Council of Urban Education Associations (NCUEA) between June 26-29, 2015 at the Hilton Orlando Lake Buena Vista in Buena Vista, FL. The Project Veritas journalist engaged him at the bar where Wentz made a disturbing admission.

When the undercover journalist asked Wentz whether he did this to a student, he said, ""I've done this more than once and I said, but I will guarantee you, I will kick your fucking ass."

Wentz admitted that the union would punish him for his actions if they ever found out, as he even described his actions as "over the line". However, Project Veritas wanted to find out whether or not Wentz would admit to the same confession he made in Orlando, but while in his role as union president.

A different Project Veritas journalist posed as the uncle of the student who Wentz bragged about threatening and he

confronted Wentz in Kansas. The journalist originally planned to confront Wentz at the union office where Wentz was clocked in, but a union employee said that Wentz was at a dentist appointment. When the PV journalist tracked Wentz down, he was at a coffee shop.

When the journalist confronted Wentz about his confession to threatening several students, Wentz denied it, saying, "I have never said that to a kid at school."

However, when the journalist said that he would be contacting the union or the police, Wentz said, "Okay, go for it. I mean first of all, I'm the president of the union, so...," suggesting that his position of authority would make him immune to any consequences.

After Wentz continued to deny what he originally said in Orlando, the PV journalist continued to press Wentz, who became increasingly more defensive and argumentative, using profanity and even resorting to threats. "What I say to my kids is my fucking business, Dan. This conversation is over and I tell you what? If you show up again, I'm gonna call the cops."

Emphasis added.

149. In two Facebook posts, made June 28, 2016, on the Project Veritas Facebook page by "Project Veritas," Project Veritas and O'Keefe repeat some of the above-stated defamatory comments:



<https://www.facebook.com/ProjectVeritas/photos/a.328892323862959.76194.236763656409160/1053603004725217/?type=3&theater> and

[https://www.facebook.com/ProjectVeritas/videos/1053498731402311/?video\\_source=pages\\_finch\\_main\\_video](https://www.facebook.com/ProjectVeritas/videos/1053498731402311/?video_source=pages_finch_main_video)

150. The former of the two Facebook posts was a post updating a cover photo for the Project Veritas Facebook page. The cover image it is posted with is a photographic/textual collage in which Wentz's image is used three times, one which beneath the words: "**TEACHERS UNION PRESIDENT TO KIDS: 'I WILL KICK YOUR F\*\*\*\*\*G ASS'.**" The Facebook image is posted with the following text:

Meet Steve Wentz. Our latest unwilling YouTube star who was caught on camera **admitting to abusing his students**. Steve is the president of the United Teachers of Wichita teachers union in Kansas.

"Do you really think I'm a motherf\*\*\*er?" Steve Wentz, president of United Teachers of Wichita (UTW), describes to the undercover journalists what he asks his student. "Son, go for it and I'll give you the first shot...I will kick your f\*\*\*ing ass."

Emphasis added.

151. The second of the two Facebook posts includes the following text, which accompanies a link to the video:

The fourth video of the undercover teachers union series shows a **systemic problem of corruption** within the teachers union that extends far beyond New York City. In this fourth video, **Steve Wentz**, the President of

**the United Teachers of Wichita admits to physically assaulting children in the classroom and being protected by the union.**

Emphasis added.

152. On or about June 28, 2016, Project Veritas and O'Keefe published another article on the Project Veritas website about Wentz, with the bold headline, "Teachers Union President Admits To Abusing Children," at <http://projectveritas.com/video/teachers-union-president-admits-to-abusing-children/>. The article states:

**Teachers Union President Admits To Abusing Children**

(June 28, 2016)

The fourth video of the undercover teachers union series shows a systemic problem of corruption within the teachers union that extends far beyond New York City. In this fourth video, Steve Wentz, the President of the United Teachers of Wichita **admits to physically assaulting children in the classroom, all while having protection from the union.**

In a meeting with a Project Veritas journalist, Wentz described his physical altercations with children, saying, "I've done this more than once and I said, but I guarantee you, I will kick your fucking ass." Wentz then explains that the union would "hang his ass out to dry" if they ever found out about the incident, but then he later said nothing would happen to him since he is the union president.

Emphasis added.

153. On or about June 28, 2016, O'Keefe, posting as "James O'Keefe"<sup>14</sup> published five Facebook posts about Wentz:

- a. The first post shared the Breitbart article that is the subject of Count VII herein, along with the following:

SHOCKING NEW VIDEO RELEASED TODAY! MORE CORRUPTION WITHIN THE TEACHERS UNION EXPOSED.

"A Project Veritas undercover investigative series revealing the corruption within teachers unions in the New York City area now turns to expose a local teachers union president in Wichita, Kansas.

Do you really think I'm a motherf\*\*\*er?" Steve Wentz, president of United Teachers of Wichita (UTW), describes to the undercover journalists what he asks his student. "Son, go for it and I'll give you the first shot...I will kick your f\*\*\*ing ass." Breitbart

<https://www.facebook.com/JamesOKeefeAuthor/post/10154241233257910>. At the time of filing, this post had generated 31 "reactions": 23 "likes," 4 "angry," 3 wows, and 1 sad. This post is defamatory because it creates a false impression that Wentz is corrupt and violent.

- b. The second post shared a Project Veritas's Facebook post and added following commentary:

The fourth video of the undercover teachers union series shows a systemic problem of corruption within the teachers union that extends far beyond the east coast.

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<sup>14</sup> Facebook page at <https://www.facebook.com/pg/JamesOKeefeAuthor/>, run and operated by O'Keefe. At filing, it had more than 45,000 "likes."

In this video, several Project Veritas journalists meet with Steve Wentz, the President of United Teachers of Wichita. Throughout several interactions, **Wentz admits to being physically abusive to his students and not caring about the consequences since he is the president of the union.**

"I guarantee you, I will kick your f\*\*\*ing ass." --

**Steve Wentz, President of United Teachers of Wichita**

<https://www.facebook.com/JamesOKeefeAuthor/posts/10154241302007910> (emphasis added). This post is defamatory because it implies that Wentz is corrupt and states, outright, that he is "physically abusive to his students and not caring about the consequences since he is the president of the union."

- c. The third post shared a Project Veritas post and added the following commentary, which is exactly the same text in Project Veritas's shared post:

#### BREAKING: NEW VIDEO

Teachers union president caught on camera **admitting to abusing children.**

**"I've done this more than once." –Steve Wentz, United Teachers of Wichita**

<https://www.facebook.com/JamesOKeefeAuthor/posts/10154241408742910> (emphasis added). This post is defamatory because it states, outright, that Wentz "abus[es] children" and has "done this [abuse children] more than once." At the time of this filing, this post had generated 13 "reactions": 10 "likes" and 3 "angry."

- d. The fourth post was a photo, a screenshot of Twitter, showing "@UTWitchita's Tweets are

protected." It contained the following commentary:

Why is United Teachers of Wichita protecting their Twitter account @UTWichita? Could it be because of their president Steve Wentz?

<http://projectveritas.com/2016/06/28/teachers-union-president-to-kids-i-will-kick-your-fg-ass/>

AFT - American Federation of Teachers NEA Today

<https://www.facebook.com/JamesOKeefeAuthor/photos/a.10150980015797910.449758.135160737909/10154241487902910/?type=3&theater>. This post is defamatory, when read in conjunction with the other, prior posts, because it implies that Wentz is a child abuser and corrupt and has gotten "caught" by Project Veritas and O'Keefe. At the time of this filing, it had generated 10 "reactions": 8 "likes," 1 "LOL," and 1 "angry."

e. The fifth post showed the video again, along with the following commentary:

The fourth video of the undercover teachers union series shows a systemic problem of corruption within the teachers union that extends far beyond New York City. In this fourth video, **Steve Wentz**, the President of the United Teachers of Wichita admits to physically assaulting children in the classroom and being protected by the union.

<https://www.facebook.com/JamesOKeefeAuthor/posts/10154241579337910> (emphasis added). At the time of this filing, this post had generated 38 "reactions": 29 "likes," 7 "angry," 1 wow, and 1 sad. This post is defamatory because it outright states that Wentz "physically



assaulted children in the classroom and . . . was protected by the union."

154. On June 28, 2016, on his personal Facebook timeline, O'Keefe shared the Breitbart article about Wentz, featuring Wentz's photo, and said: "Local teachers union president brags about abusing kids." Screenshot below:



<https://www.facebook.com/JamesOKeefeIII/posts/10106499796228139>

155. On or about June 29 or 30, 2016, Project Veritas and

O'Keefe published another article on its website at <https://projectveritas.com/2016/06/30/kake-abc-updates-their-coverage-of-project-veritas-teachers-union-investigation/>, which reads as follows:

**KAKE ABC Updates Their Coverage of Project Veritas's Teachers Union Investigation**

(June 29, 2016)

On June 29 2016, KAKE, the local ABC affiliate in Wichita, KS updated their coverage of Project Veritas's fourth video investigation which is part of their undercover union series, which shows a continuation of teachers unions and their **willingness to cover up child abuse** in the workplace. In this version of the news package, the KAKE reporter interviewed Stephen Gordon, the Project Veritas media spokesperson.

The fourth video of the undercover teachers union series shows a **systemic problem of corruption** within the teachers union that extends far beyond New York City. In this fourth video, **Steve Wentz**, the President of the United Teachers of Wichita **admits to physically assaulting children in the classroom and being protected by the union**.

Emphasis added.

156. On or about August 11, 2016, Project Veritas and O'Keefe published another article on its website at <https://projectveritas.com/2016/08/11/kansas-teachers-union->

president-finally-responds-to-kwch-news/, providing:

**Kansas Teachers Union President Finally Responds to KWCH News**

(August 11, 2016)

The fourth video of the undercover teachers union series showed a **systemic problem of corruption** within the teachers union that extended far beyond New York City. In the fourth video, Steve Wentz, the President of the United Teachers of Wichita **admitted to physically assaulting children in the classroom and being protected by the union**. In this video, he finally made a statement to a local Kansas news station about being **caught on camera by undercover Project Veritas journalists**.

Emphasis added.

157. The content in the preceding paragraph is defamatory because:

- a. It implies Wentz is corrupt, states he admits to physically assaulting children and was protected by the union about it, which makes him appear violent and corrupt, which is a false implication.
- b. The article falsely states that he admits to being, and therefore is, "physically abusive to his students," which he is not. The Facebook post says he admitted to "abusing his students," which he never did do. The June 29/30 article implies that he has a "willingness to cover up child abuse."
- c. The second Facebook post and three website articles say Wentz "physically assaulted children in the classroom," which he did not do.

- d. The second Facebook post falsely says that Wentz is a part of a "systematic problem of corruption."
- e. The article titled, "Teachers Union President Admits To Abusing Children," falsely accuses Wentz of "abusing children" in its headline and URL. It adds in the text that Wentz "physically assault[ed] children in the classroom" and had "physical altercations with children," which is false.
- f. The implication and statements that Wentz was being protected by or covered up by the union – and therefore corrupt – are false (i.e., he does "not care about the consequences since he is the president of the union" and outright statement that he "admitted to physically assaulting children in the classroom and being protected by the union"). Rather, Wentz had said he did not care about Sandini's complaints (because he knew the complaints were false), and these words were twisted to imply then outwardly state that Wentz had engaged in child abuse, which the union protected.
- g. When Sandini had told Wentz, "I'm going to the union," he was already speaking to the union president, so therefore, When Wentz said, "first of all, I'm the president of the union," he did not mean that "that his position of authority would make him immune to any consequences." Rather, he meant that, if Sandini wanted to talk to the union, he was talking to the union right then and there.
- h. Wentz never "made a disturbing admission." Rather, he told an anecdote, only part of which was used and taken out of context .

- i. It implies that Wentz had some sort of devious act to own up to, to admit to, and that he was using his "role as union president" to cover it up. It falsely states that he "bragged about threatening" a student with violence, therefore making him appear violent and out of control.
- j. The statements also include a complete falsity about the so-called "journalist" having "originally plan[ing] to confront Wentz at the union office," and misleadingly adds, "[w]hen the PV journalist tracked Wentz down, he was at a coffee shop." In reality, Sandini had asked Wentz to meet him at Panera, and Wentz was punctual. The entire segment, and content, is twisted around and implies that Wentz is lying to people, telling them that he is going to the dentist when he is really sneaking off to coffee shops. It makes him appear to be corrupt, which is all false. Furthermore, no "union employee" said Wentz was at a "dentist appointment."
- k. It falsely makes Wentz appear to be a liar and untruthful. It says that "the journalist confronted Wentz about his confession to threatening several students," and "Wentz denied it." Again, it implies that Wentz threatened students with violence.
- l. It makes Wentz falsely appear to be a liar and corrupt, accusing him of having "denied" threatening students (something that he did not do, in the way that it was presented). It falsely says, "Wentz continued to deny what he originally said in Orlando"; however, in reality, Sandini never told Wentz he was talking about an anecdote Wentz had told about an incident occurring more than 20 years ago. Instead, it was Sandini who had deceived and

tricked Wentz, saying he was the uncle of a student and implying an alleged incident of violence had recently occurred.

- m. It says the "journalist" would contact the police, which is false, because the "journalist" did not even know the student's name and had no reason to call the police, nor any intention of doing so, and also implies that Wentz committed a criminal act.
- n. It says that Wentz "became increasingly more defensive and argumentative, using profanity and even resorting to threats." This statement, taken in context with the entire content, further implies that Wentz is violent. By saying he resorted to "threats" makes it appear that he threatened violence. But saying that he will call the police on Sandini is not a "threat," because, indeed, what Sandini did was illegal and Wentz probably should have called the police on him.
- o. The text fails to disclose that Wentz was tricked and misled; coerced into saying certain things to fit into a mold; set up; and recorded without his permission.
- p. Stating that Wentz was "caught" by Project Veritas (again, Veritas means "truth") journalists about "physically assaulting children" and "being protected by the union," implies a further deviant nature of the spurious allegations.

158. Project Veritas and O'Keefe made and published this false and defamatory content without reasonable care as to its truth or falsity, in that a proper investigation would have

demonstrated that the defamatory content was false and misleading. The content gives false suggestions, impressions, and implications that convey a materially different meaning than the truth would have conveyed.

159. Project Veritas and O'Keefe knew the content was defamatory, because they knew Wentz had, in Orlando, merely told an anecdote about turning a troubled student's life around, and that he was not violent as Defendants portrayed him to be, or a child abuser, but rather a teacher who cared for his students; they knew he was not playing hooky from work but rather had arranged to meet Sandini under Sandini's suggestion and had relied on Sandini's representation that he was a student's uncle. They had no real legitimate reason to believe Wentz was corrupt.

160. Although Project Veritas and O'Keefe knew this content was defamatory, Defendants proceeded to publish it with actual malice, or with actual knowledge that it was false or reckless disregard of whether it was false, and with such gross and reckless negligence as to amount thereto, and with a conscious disregard for Wentz's rights and the truth.

161. Project Veritas and O'Keefe published the defamatory content with a motive to injure Wentz's reputation and character and make him appear corrupt. The motive was part of a right-wing

plot to make teacher's unions, in general, appear disreputable and corrupt, and damage the public's perception of teacher's unions.

162. The incorporated allegations were made with the intent to expose Wentz to hatred, ridicule, or contempt; charge Wentz with committing a violent crime of assault; make Wentz appear dishonest and call him a liar; imply that Wentz is a physically violent and dangerous man who threatens violence against his students; and tend to injure Wentz in his business, reputation, and occupation.

163. As a result of Defendants' defamatory video, Wentz has suffered and will continue to suffer damages, including reputation damages, mental anguish, stress, and damage to his current and prospective business relations.

WHEREFORE, Plaintiff, STEVE WENTZ, respectfully requests that this Honorable Court enter judgment against Defendants PROJECT VERITAS and JAMES O'KEEFE III, and, for Wentz's actual damages, pre-judgment interest, costs, and such other and further relief as this Court may deem proper. Wentz reserves the right to, pursuant to section 768.72, Florida Statutes, amend his complaint and seek punitive damages upon the requisite showing.

**COUNT VII: DEFAMATION (OR DEFAMATION BY IMPLICATION)**

164. Wentz incorporates by reference all allegations contained in paragraphs 1-65.

165. This is a count against Defendant BREITBART NEWS NETWORK LLC for common-law defamation.

166. On or about June 28, 2016, Breitbart published false and defamatory content in an article titled, "**O'Keefe Sting – Teachers Union President Brags About Threatening Student: 'I Will Kick Your F\*\*\*ing Ass.'**" Article available at: <http://www.breitbart.com/big-government/2016/06/28/teachers-union-president-tells-student-i-will-kick-your-fing-ass/>.

167. Overall, the article creates a false and defamatory impression of Wentz as corrupt, lazy, and a liar.

168. The article reads as follows:

[*Photograph of Steve Wentz*]

A Project Veritas undercover investigative series revealing the corruption within teachers unions in the New York City area now turns to expose a local teachers union president in Wichita, Kansas.

"Do you really think I'm a motherf\*\*\*er?" Steve Wentz, president of United Teachers of Wichita (UTW), describes to the undercover journalists what he asks his student. "Son, go for it and I'll give you the first shot...I will kick your f\*\*\*ing ass."

[*Defamatory Project Veritas video about Steve Wentz*]



In the latest video by James O'Keefe, an interaction takes place between several Project Veritas journalists and Wentz.

The first meeting between Wentz and the journalists takes place at the National Council of Urban Education Associations (NCUEA) between June 26-29, 2015 at the Hilton Orlando Lake Buena Vista in Buena Vista, Florida.

As the video shows, the Project Veritas journalist talks to Wentz at the bar, where Wentz says:

Wichita State asked me to come out and talk to their new teachers in education about classroom discipline and I went... I mean, ex-military, I'm sure you... I mean you know, there were times in my class where I had a kid do something crazy and you know... I told him when the bell rings, I said hang on, hang on a minute, I want to talk to you. So the bell rings everybody leaves and I go over, shut the door, lock it, pull the shades down, take all my shit out of my pockets and I go, do you really want to kick my ass? Do you really think I'm a motherf\*\*\*er? Son, go for it and I'll give you the first shot.

The journalist can be heard in the video asking Wentz whether he did this to a student, and Wentz replies, "I've done this more than once and I said, but I will guarantee you, I will kick your f\*\*\*ing ass."

As the video progresses, Wentz says that the union would punish him for his actions if it discovered them, and acknowledges his actions are "over the line." However, the Project Veritas investigation probes further to determine whether Wentz would admit to the same actions while in his role as union president.

Another Project Veritas journalist poses as the uncle of the student whom Wentz bragged about threatening. The undercover journalist confronts Wentz in Kansas at a coffee shop. Project Veritas states the journalist had attempted to speak with Wentz at the union office where he worked, but was told by a union employee that Wentz was out at a dentist appointment.

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PV JOURNALIST: So, I'm here visiting relatives and I have a nephew and he's concerned... My family is concerned that, and he's been having problems with this, that you took him aside and said that you were going to kick his f\*\*\*ing ass.

WENTZ: Well, first of all I have no idea what you're talking about, Dan and second of all, it concerns me of the kind of cryptic nature of all this...

PV JOURNALIST: Okay. We're just trying to keep the name of the child out of it, and...

WENTZ: Well, certainly, I've spent 25 years looking out for the welfare of children and my own included. So, I'm confused as to who in the world would make an allegation like that?

PV JOURNALIST: So, you're saying it didn't happen?

WENTZ: I have never said that to a kid at school

PV JOURNALIST: His folks are talking about going to the union or going to the police, one of the two.

WENTZ: Okay, go for it. I mean first of all, I'm the president of the union, so...

PV JOURNALIST: Oh, so they're going to have your back?

WENTZ: Well, no, not if I've done something wrong...

Wentz continues to deny what he originally admitted in Buena Vista, and the PV journalist presses him:

PV JOURNALIST: I am just asking about whether this specific occurrence occurred, whether you said you know, I'm going to kick your f\*\*\*ing ass to a kid? You've never said that?

WENTZ: Oh, I've said that before.

PV JOURNALIST: To a kid?

WENTZ: To my own kids.

PV JOURNALIST: How about to your students? How about to your students?

WENTZ: No, why would I say that to one of my students? And Dan...

PV JOURNALIST: So, you said it to your own kid... It's okay to say it to your own kids? I'm going to kick your f\*\*\*ing ass?

WENTZ: What I say to my kids is my f\*\*\*ing business, Dan. This conversation is over and I tell you what? If you show up again, I'm gonna call the cops.

PV JOURNALIST: I gave you my name, I gave you my phone number. If something changes and you want to come clean...

WENTZ: The guy you need to talk to next, his name is...

PV JOURNALIST: If you want to come clean about it, let me know

WENTZ: His name is... Well I'll let you talk to my attorney, okay? Let's do that. I'm not going to sit here and have somebody make an allegation like that...

PV JOURNALIST: Alright. Is that where you were this afternoon when you were supposed to be at the dentist appointment or...? I mean I drove all the way down here to talk to you, I show up at your office, you're supposed to be dentist at 10, I show up 2...

WENTZ: What are you, my f\*\*\*ing mother?

PV JOURNALIST: Well, you've got to post in and post out. Don't you feel responsible to your constituents?

WENTZ: You're a piece of work, Dan. You are a piece of work...

PV JOURNALIST: Nobody punched you out, nobody punched you in back at the... Did you punch out at the office?

WENTZ: I don't have to punch out.

PV JOURNALIST: We'll probably get in touch with the union here.

WENTZ: Okay.

PV JOURNALIST: Maybe the NEA as well, talk to them. Talk to... Because when there's a specific allegation we have, you know specific allegation.

WENTZ: No, no...

PV JOURNALIST: My nephew has said that you took him aside and said, I am going to kick your f\*\*\*ing ass.

WENTZ: I heard what you said.

PV JOURNALIST: And you say you did not say that?

WENTZ: I'm saying I did not say that.

\*\*

In the other videos in the Project Veritas series on teachers unions, the journalists uncover union officials who advise them on how to hide child abuse and excessive absenteeism, and admit to refusing to report teachers who abuse drugs.

"We've been contacted by parents and students across the country reacting to our last few teacher's union videos about similar experiences they've had," says Project Veritas president O'Keefe. "Now we strongly encourage any students who have been threatened by Mr. Wentz to come forward and contact us at ProjectVeritas.com."

"It's clear Wentz doesn't want to own up to his own actions and will use his 'union president' position to protect himself," he adds. "Wentz admits that what he did was wrong and if the union found out, he would be in trouble. But he isn't worried. Why? Because Wentz is the union."

"The lengths these unions will go to cover up even the most horrendous actions of teachers isn't isolated to this incident in Kansas," Project Veritas spokesperson Stephen Gordon also tells Breitbart News. "As you will see in videos we've yet to release as well as those we've recently released, this is a systemic problem which plagues the major teachers unions around the country."

**Read More Stories About:**

Big Government, Education, child abuse, James O'Keefe,  
Project Veritas, teachers' unions, union corruption, United  
Teachers of Wichita

169. The Breitbart article is defamatory for several reasons. Overall, the article, which shows and summarizes a defamatory Project Veritas video and repeats defamatory statements made in that video, portrays Wentz as corrupt, lying, lazy, unreliable, and violent, all of which are untrue.

170. The article is defamatory because:

- a. It falsely explains that Wentz met with "journalists," when, in reality, an individual who faked her identity and recorded Wentz covertly, without his permission, had tricked him.
- b. It falsely implies that Wentz is violent. The use of only a small portion of Wentz's anecdote, told under false pretenses, about how he turned the life of a troubled teenager around, fails to give the complete context.
- c. It strongly implies that Wentz genuinely threatened students with real violence, for no reason, as if he is just a violent bully. ("Now we strongly encourage any students who have been threatened by Mr. Wentz to come forward and contact us at Project Veritas.com.")
- d. It falsely states that "Wentz doesn't want to own up to his own actions and will use his 'union president' position to protect himself," he adds.
- e. It falsely implies that Wentz is corrupt and should be punished. ("Wentz admits that what he did was



wrong and if the union found out, he would be in trouble. But he isn't worried. Why? Because Wentz is the union.")

- f. It says Wentz's "corruption" was "expose[d]."
- g. It falsely implies that Wentz's engaged in improper actions that were "over the line."
- h. It falsely states that Wentz is corrupt and "us[ing] his union president position to protect himself"; that he "admits that what he did was wrong, and that, if the union found out, he would be in trouble"; it implies that he has something to "worry" about. It also implies that Wentz, being a union president, has gone "lengths" to "cover up even the most horrendous actions of teachers" and contributed to "a systematic problem which plagues the major teachers unions around the country."
- i. It falsely implies that Wentz was playing hooky on the union members' dime, sneaking off to a coffee shop and not doing his job, when he had said he was at the dentist, all of which is untrue. (In reality, a Project Veritas operative had asked Wentz to meet at Panera, and Wentz was punctual.)
- j. It falsely states that Wentz failed to clock out and implies he was being paid to hang out in a coffee shop.
- k. It implies that Wentz is dishonest and a liar. It says that Wentz "continues to deny what he originally admitted in [Lake] Buena Vista[, Florida]." It implies that Wentz has something to "come clean" about, that he is lying. (In reality, Wentz was not "denying" a story – he simply did not know what was being talked about, and the story he allegedly denied was

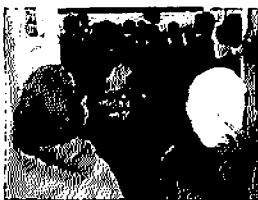
twisted and false, because his words had been taken out of context.)

1. It says that Wentz has not "owned up" to his actions and is therefore a liar.

171. These defamatory statements and implications are false and damaging, and therefore defamatory. Breitbart's promotion of this defamatory video and summary of its conclusions are further damaging to Wentz.

172. Breitbart's use of "tags" "child abuse" and "union corruption," and the statement that its article is a "story about" those tags – are defamatory because they imply that Wentz is a child abuser and a corrupt union official. If someone clicks on "stories about 'child abuse'" or "stories about 'union corruption,'" this article about Wentz – and his picture – is shown on the Breitbart website.

173. Breitbart includes this article in its "stories about child abuse" section at <http://www.breitbart.com/tag/child-abuse/>. There, a teaser for the article, with Wentz's photo and name, is published under the headline "TAG: CHILD ABUSE," sandwiched between a story about female genital mutilation and a mother who starved her children, as shown in a partial screenshot below:



## Schools Urged To Be Alert To Forced Marriages And FGM This Summer Holiday

LONDON, June 27 (Thomson Reuters Foundation) - British teachers should be vigilant ahead of the long summer holidays for warning signs that parents might take their children abroad to marry them off or undergo female genital mutilation (FGM), experts warned.

by BREITBART LONDON 29 Jun 2016, 3:22 AM PDT

187



## O'Keefe Sting — Teachers Union President Brags About Threatening Student: 'I Will Kick Your F\*\*\*ing Ass'

"Do you really think I'm a motherf\*\*\*er?" Steve Wentz, president of United Teachers of Wichita (UTW), describes to the undercover journalists what he asks his student. "Son, go for it and I'll give you the first shot...I will kick your f\*\*\*ing ass."

by DR. SUSAN BERRY 28 Jun 2016, 6:00 AM PDT

486



## Texas Mother Guilty in Horrific Child-Starvation Case

A mother has pleaded guilty in the starvation case of her five-year-old son. The boy's father and step-grandmother will face a jury on charges that they starved and beat the little boy.

by LANA SHADWICK 24 Jun 2016, 10:02 AM PDT

7

This placement, under "TAG: CHILD ABUSE" and with these other stories, is defamatory by implication because it implies that Wentz is a child abuser who Wentz beats students, which is false.

174. Breitbart published the story with a motive to injure Wentz's reputation and character and make him appear corrupt. The motive was part of a right-wing plot to make teacher's unions, in general, appear disreputable and corrupt, and damage the public's perception of teacher's unions.

175. The incorporated defamation was made with the intent to expose Wentz to hatred, ridicule, or contempt; charge Wentz with

committing a violent crime of assault; make Wentz appear dishonest and call him a liar; imply that Wentz is a physically violent and dangerous man who threatens violence against students; and tend to injure Wentz in his business, reputation, and occupation.

176. Breitbart made this publication with actual malice, or with actual knowledge that it was false or reckless disregard of whether it was false, and with such gross and reckless negligence as to amount thereto, and with a conscious disregard for Wentz's rights and the truth.

177. Breitbart failed to use reasonable care as to the truth or falsity of the publication, in that a proper investigation would have demonstrated that the statements and implications were false and misleading. The publications give false suggestions, impressions, and implications that convey a materially different meaning than the truth would have conveyed.

178. Breitbart had reason to know the content was defamatory, because O'Keefe and Project Veritas had a long-standing reputation of twisting facts and creating deceptive stories, and they had reason to believe there was more to the story than what appeared. They had no reason, other than "because O'Keefe and Project Veritas said so," to believe Wentz was corrupt, dishonest, or violent.

179. Breitbart failed to investigate the truth of the facts, in any manner, prior to publishing the story.

180. Many, including Project Veritas and O'Keefe, shared Breitbart's publication on social media, and countless individuals read it.

181. As a result of Breitbart's defamation, Wentz has suffered and will continue to suffer damages, including reputation damages, mental anguish, stress, and damage to his current and prospective business relations.

WHEREFORE, Plaintiff, STEVE WENTZ, respectfully requests that this Honorable Court enter judgment against Defendant BREITBRT NEWS NETWORK, LLC, for Wentz's actual damages, pre-judgment interest, costs, and such other and further relief as this Court may deem proper. Wentz reserves the right to, pursuant to section 768.72, Florida Statutes, amend his complaint and seek punitive damages upon the requisite showing.

COUNT VIII: TEMPORARY AND PERMANENT INJUNCTION

182. Wentz incorporates by reference all allegations contained in paragraphs 1-65, 108-145, 147-163, and 166-181.

183. O'Keefe and Project Veritas secretly obtained video footage of Wentz, then took select statements of such footage out of context so as to present them in a defamatory manner, and Breitbart republished those statements, making additional defamatory statements.

184. O'Keefe and Project Veritas published defamatory written content about Wentz on the Project Veritas website and on Facebook.

185. This defamatory content was published on the Internet where it remains today and continues to be viewed and accessed by third parties, including but not limited to Wentz's friends, family, coworkers, students, and students' family members.

186. The continued publication of the defamatory video continues to cause Wentz irreparable injury, which cannot be cured by money damages.

187. Wentz has a clear legal right to the relief requested.

188. Wentz lacks an adequate remedy at law, as the defamatory video and written content cause injure Wentz every day they are still available for public view.

189. The requested injunction will not disserve the public interest as the video and written content deceive the public.

WHEREFORE, Plaintiff, STEVE WENTZ, respectfully requests that this Honorable Court enter injunctive relief against Defendants Project Veritas, O'Keefe, and Breitbart, requiring Defendants to destroy and delete any and all videos taken of Wentz, and statements taken from those videos, and any and all defamatory written content about Wentz, and cause the immediate removal from the Internet of, and prohibiting continued display of, the

offensive defamatory content, and to award Wentz his costs, and any other relief as is just and proper.

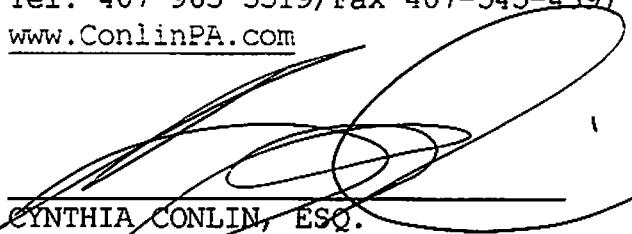
JURY DEMAND

Plaintiff requests a jury trial on all issues so triable.

Respectfully submitted on June 23, 2017 by:

*Attorneys for Plaintiff:*

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JS 44 (Rev. 11/15)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

STEVE WENTZ

(b) County of Residence of First Listed Plaintiff Sedgwick Cty, Kansas  
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)  
Cynthia Conlin, Esq. / Cynthia Conlin & Associates  
1643 Hillcrest Street, Orlando FL 32803 / 407-965-5519**DEFENDANTS**PROJECT VERITAS; JAMES O'KEEFE III  
ALLISON MAASS; and BREITBART NEWS NETWORK, LLCCounty of Residence of First Listed Defendant Westchester Cty, N.Y.  
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT		TORTS	FORECLOSURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tarn (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability			<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 410 Antitrust	
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 430 Banks and Banking	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 450 Commerce	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle			<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability			<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 850 Securities/Commodities/ Exchange	
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 890 Other Statutory Actions	
REAL PROPERTY		CIVIL RIGHTS	PRISONER PETITIONS	FEDERAL TAX RUTHS	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 720 Labor Management Relations	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment:	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty Other:	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 540 Mandamus & Other			<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 550 Civil Rights			
		<input type="checkbox"/> 555 Prison Condition			
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
**18 U.S.C. § 2520****VI. CAUSE OF ACTION**Brief description of cause:  
Interception of oral communications**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No**VIII. RELATED CASE(S) IF ANY**

(See instructions)

JUDGE

DOCKET NUMBER

DATE 6/23/2017 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #   AMOUNT   APPLYING IFF   JUDGE   MAG JUDGE